IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1814 OF 2007

IN

SUIT NO. 3415 OF 1947

Bai Fatimabai wd/o Hajee
Alimohamed Hajee Cassam & Ors. ... Plaintiffs.

Versus

Bai Zulekhabai wd/o Dawood Hajee
Alimohamed Hajee Cassam Agbotwalla
and Others. .... Defendants.

A N D

Veekaylal Investment Co.Pvt.Ltd.... Applicant.

Mr. R.C.Shah with Mr. Prashant Beri i/by M/s.Beri & Co., for the Applicant.
None for the Plaintiffs.
None for the Defendants.

CORAM : S.J.VAZIFDAR, J.

DATED : 6TH DECEMBER, 2007.

P.C.:

This chamber summons is taken out in the above administration suit in which the Court Receiver was appointed of the various plots of land. The said land was auctioned under the orders of this Court. The applicant is a nominee of the auction purchaser.

2. By an order dated 29th July, 1970 the learned single Judge ordered the Court Receiver to execute Conveyance / Conveyances in favour of the nominees of

the present applicant on the applicant and one Mrs.Beena Khiamal for herself and as a guardian of minor children being joined as Confirming Party. The said Smt. Beena Khiamal is since deceased. The minor children have now attained majority. They are parties to this Chamber Summons.

3. From time to time the Conveyances have been executed by the Court Receiver as and when the properties were freed from the encumbrances.

4. By an order dated 16th August, 2005 on the Judge's Order No. 38 of 2005 by a third party seeking leave to adopt proceedings against the Court Receiver, the learned Judge held that the only steps that are to be taken by the Court Receiver is to sign the Conveyance / Conveyances.

5. In the present Chamber Summons, orders are sought directing the Court Receiver to execute Conveyances in favour of the applicant in respect of some of the lands and in favour of the nominees of the applicant in respect of the other parcels of land with the applicant and the said three children, who have now attained majority, as Confirming Party.

6. In view of the earlier orders passed in these

proceedings and in view of the fact that there is no opposition to the Chamber Summons, the Chamber Summons is made absolute in terms of prayers (a), (b), (c) and (d).

7. The order shall be complied with within four weeks from today.

Sd/-

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